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December 12, 2007

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HAND DELIVERED

Chief Judge Gregory M. Sleet
J. Caleb Boggs Federal Building
844 N. King Street
Room 4324
Lockbox 19
Wilmington, DE 19801

***Re: Miller v. Correctional Medical Services, Inc.
C.A. No. 06-349 GMS***

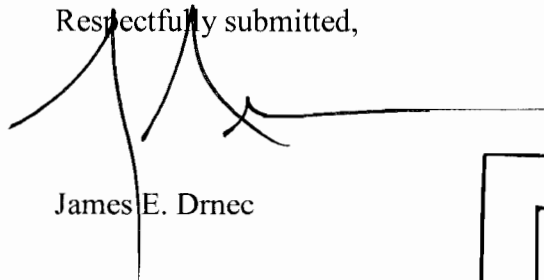
Dear Chief Judge Sleet:

I represent the defendant Correctional Medical Services, Inc. ("CMS") in the above-referenced matter. I apologize for increasing the Court's burden today, but hope that ultimately this letter will remove the above-referenced-matter from the Court's docket.

On August 2, 2007 CMS moved to dismiss all State law claims of medical negligence based on Plaintiff's failure to file an Affidavit of Merit. (D.I. 35). On August 8, 2007, Plaintiff wrote to the Court requesting that all his claims against CMS be dismissed as the acts that form the basis of his pleadings occurred prior to CMS's status as contractor to the Delaware State Prison System. (D.I. 39) On August 9, 2007, CMS filed its Motion for Entry of an Order Dismissing all Claims. (D.I. 41) Plaintiff did not file any opposition to that Motion.

I appreciate that the Court is taxed by the high volume of cases and the numerous attorneys all seeking the Court's attention, and again apologize for increasing that burden today. This letter is sent to respectfully request the Court's review of the above-mentioned items so that I can properly advise my client as to the status of this case.

Respectfully submitted,



James E. Drnec

JD/jz

cc: Mr. Thomas R. Miller

